

A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF THE MISDEMEANOR OF MALICIOUS BURNING IN THE SECOND DEGREE AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 18 MONTHS OR A FINE NOT EXCEEDING \$500 OR BOTH.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 8(a)(1) and (2).

In subsection (b) of this section, the former reference to another "person" is deleted as implicit and for consistency within this article.

Defined terms: "Maliciously" § 6-101

"Person" § 1-101

"Willfully" § 6-101

6-106. BURNING WITH INTENT TO DEFRAUD.

(A) PROHIBITED.

A PERSON MAY NOT SET FIRE TO OR BURN PROPERTY OF ANY KIND WITH THE INTENT TO DEFRAUD ANOTHER.

(B) PENALTY.

A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 5 YEARS OR A FINE NOT EXCEEDING \$5,000 OR BOTH.

(C) STATUTE OF LIMITATIONS AND IN BANC REVIEW.

A PERSON WHO VIOLATES THIS SECTION IS SUBJECT TO § 5-106(B) OF THE COURTS ARTICLE.

(D) SENTENCE.

A SENTENCE IMPOSED UNDER THIS SECTION MAY BE SEPARATE FROM AND CONSECUTIVE TO OR CONCURRENT WITH A SENTENCE FOR ANY CRIME BASED ON THE ACT ESTABLISHING THE VIOLATION OF THIS SECTION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 8(b).

In subsection (a) of this section, the reference to defrauding "another" is added for clarity.

In subsection (c) of this section, the reference to a violation being "subject to § 5-106(b) of the Courts Article" is substituted for the former reference to the violation subjecting the defendant to imprisonment "in the penitentiary" for clarity and consistency within this article. See General Revisor's Note to article.

In subsection (d) of this section, the reference to any "crime" is substituted for the former reference to any "offense" for consistency within this article. See General Revisor's Note to article.